INSTITUTE FOR Local Self-Reliance
www.ilsr.org

2001 S Street NW #570 | Washington, DC 20009 202.898.1610
2720 East 22nd Street | Minneapolis, MN 55406 612.276.3456

March 21, 2014

Federal Communications Commission
445 12th Street SW
Washington, DC 20554

RE: Protecting and Promoting the Open Internet
GN Docket No. 14-28

The Institute for Local Self-Reliance (ILSR) is a 40 year old nonprofit organization with the following mission:

> *The Institute's mission is to provide innovative strategies, working models and timely information to support environmentally sound and equitable community development. To this end, ILSR works with citizens, activists, policymakers and entrepreneurs to design systems, policies and enterprises that meet local or regional needs; to maximize human, material, natural and financial resources; and to ensure that the benefits of these systems and resources accrue to all local citizens.*

For nearly a decade, ILSR has been the leading national authority on community-owned networks, specifically on municipal networks. Municipal networks are a subgroup of community-owned networks into which we also place cooperatives and other non-profit type arrangements that prioritize public benefit over profit maximization.

We strongly believe that any decision about whether to invest in a municipal network should be made at the local level without interference from state legislatures or Washington, DC. These are difficult decisions that are often based on highly local information, particularly the specific challenges, existing providers, public need, and existing assets. Attached are several local Resolutions from communities that support local authority.

Local governments have built a variety of types of municipal networks, ranging from small dark fiber networks to FTTH networks reaching across entire metros and into rural areas beyond. Some have connected business districts with open access fiber to spur independent service provider investment and competition. Some have only decided to serve community anchor institutions. There is a wide range of approaches, each of which come with their own challenges and rewards.

However, 19 states have enacted laws that either present a barrier to or effective ban on municipal networks, often by using highly technical language that does not appear to have far-reaching consequences but actually does hamper common approaches to building a network.

We fully support the FCC investigating these barriers and any actions the FCC may take to remove them. State barriers to municipal networks impact different communities in different ways. In some, a barrier may restrict competition where some level of service may already exist but is not meeting local needs. In others, a barrier may be preventing a community from ensuring that everyone simply has access to a broadband Internet connection.

We reject arguments that suggest municipal networks should be a last resort, which has been made both in rhetoric by opponents of municipal networks and enacted into state laws in Pennsylvania and Michigan, to name two. These states effectively require local communities to ask incumbent providers permission to build a modern network – a policy akin to requiring communities to ask the owners of dirt roads if the community may build a freeway onramp.

There is no good argument in favor of limiting local authority in this matter. The states that have done so have seen no additional investment and are in no way better served than states that have retained local authority. In fact, in many states that have limited local authority, including North Carolina, Tennessee, and Virginia, the networks offering the fastest speeds, often at the lowest prices, are municipally owned and operated – specifically Wilson, Bristol, and many in Tennessee.

We researched the policy fight in North Carolina over municipal networks to shine light on why a legislature would limit local authority in this manner.[1] We found the main reason is the very strong lobbying power of incumbent cable and telephone companies, who often face no real counterweight in speaking with elected officials. Local governments and public interest organizations such as ILSR have a very limited presence in state capitals, resulting in most legislators only hearing from one side of the issue.

We do not claim that all municipal networks are successes. We are tracking over 400 wired municipal networks[2] and some have struggled. Some have not been able to meet benchmarks in their business plans. Some have struggled with poor management, a problem that is clearly not unique to the public given high profile scandals at Adelphia and Qwest of the bankruptcies of FairPoint and Charter, to name a few.

Some municipal networks have succeeded but been accused of failing unjustly, such as in Windom, Minnesota.[3] Our research shows that the overwhelming majority of municipal networks have generated more benefits than costs for the community. Below, we share some of the results of our research into municipal networks and impacts on the community.

Municipal Networks Save Public Dollars

Municipal networks save significant public dollars by reducing the need for expensive leased lines and managed services from incumbent providers. Where electric utilities use the network for smart grid applications, the reduction in outages creates additional savings. Municipal networks allow local communities to budget more efficiently because future costs of connectivity are within their control; they do not have to fear a provider suddenly doubling the price of their leased line – or increasing it many fold as in Martin County, Florida.[4] Instead, municipal networks allow local officials to plan ahead for upgrades, based on the predictable price of changing electronic gear to go from 100 Mbps to 1 Gbps, for instance.

---

[1] *The Empire Lobbies Back: How National Cable and DSL Companies Banned the Competition in North Carolina*, http://www.ilsr.org/killing-competition-nc/

[2] http://www.muninetworks.org/communitymap

[3] *Minnesota Local Governments Advance Super Fast Internet Networks*, http://www.ilsr.org/minnesota-local-governments-advance-super-fast-internet-networks/

[4] *Florida Fiber: How Martin County Saves Big with Gigabit Network*, http://www.ilsr.org/florida-fiber-gigabit/

In Bristol, Virginia, self-provisioning rather than leasing circuits saved the local schools and government approximately $1 million from 2003 - 2008. The savings allows the schools to redirect funds to educational programs. Local officials estimate savings to the entire community during the same time period were approximately $10 million. In other words, an additional $10 million has flowed through the local economy due to the existence of the network. [5]

In Florida, the Martin County Public Schools estimate they save over $300,000 per year by connecting to the Martin County network, rather than paying for managed services under an earlier proposed contract with Comcast. The District's 26 facilities connect to each other with 1 Gbps capacity for only $6,120 per year. Two additional Metro-E connections from AT&T provide 10 Mbps for over $5,000 per month. [6]

Chattanooga's famous gigabit network employs extensive smart grid technology. Electric Plant Board (EPB) officials estimate the capabilities of the system save an annual $40 - $45 million for businesses and $6 - $7 million to the utility by avoiding power outages.[7] As a result, electric rates are approximately 5% less for EPB ratepayers, regardless of whether or not they are connected to any Internet or cable TV provider.[8]

The Greater Austin Area Telecommunications Network (GAATN) in Texas has estimated its members save approximately $18 million per year collectively in cost avoidance. GAATN replaced leased telephone and data lines for its government and educational institution members.[9]

Economic Development Flourishes in Communities with Municipal Networks

Communities that invest in municipal networks have seen economic development gains. Businesses today realize they need the high-speed capacity and reliability from a fiber connection that allows both rapid downloading and uploading. As a result, many employers will not consider locations without fiber network connectivity.

Spirit AeroSystems, looking for a home for its new manufacturing facility, chose Chanute, Kansas, in part due to its exceptional broadband infrastructure. The plant created approximately 150 well-paying manufacturing positions.[10] Chanute is also well known as a hub for telecommuters. "You don't have to live in Kansas City to work there," says past City Manager J.D. Lester.[11]

SpringNet, located in Springfield, Missouri, allowed travel giant Expedia to not only remain in the community but also to expand.[12] The call center employs over 900 people. A local John Deere Remanufactured facility also came to Springfield to take advantage of its fiber infrastructure. The

---

[5] *Broadband at the Speed of Light: How Three Communities Built Next-Generation Networks*, http://www.ilsr.org/broadband-speed-light/
[6] *Florida Fiber: How Martin County Saves Big With Gigabit Network*, http://www.ilsr.org/florida-fiber-gigabit/
[7] http://timesfreepress.com/news/2012/mar/24/epb-plans-work-on-smart-grid/
[8] *Broadband at the Speed of Light: How Three Communities Built Next-Generation Networks*, http://www.ilsr.org/broadband-speed-light/
[9] http://www.muninetworks.org/content/greater-austin-area-telecommunications-network-saves-millions-taxpayers
[10] Economic Development Fact Sheet, http://www.ilsr.org/community-broadband-and-economic-development-fact-sheet/ and *Chanute's Gig: One Rural Kansas Community's Tradition of Innovation Led to a Gigabit and Ubiquitous Wireless Coverage*, http://www.ilsr.org/chanute-rural-gigabit/
[11] *Chanute's Gig: One Rural Kansas Community's Tradition of Innovation Led to a Gigabit and Ubiquitous Wireless Coverage*, http://www.ilsr.org/chanute-rural-gigabit/
[12] http://www.muninetworks.org/content/springnet-continues-driving-jobs-and-revenue-local-community

McLane Company chose the community and SpringNet for its distribution facility.[13]

In Windom, Minnesota, the community retained 47 jobs thanks to municipal network WindomNet. When local Fortune Trucking could not get the connectivity it needed from their telecommunications company, the municipal network stepped in. Rather than move to another community in a different state, the company worked with WindomNet and the arrangement carries on to this day.[14] "It's a great relationship. When there is a problem, I call and it's taken care of. It's great to have a local company to deal with,"[15] says Dale Rothstein of Fortune Trucking.

In 2006, NuComm International announced approximately 1,000 positions in its new call center in Lafayette, Louisiana. NuComm was attracted to Lafayette's high-capacity network that was deployed in 2004. In 2011, the community was named the sixth fastest growing economy in the U.S. by the Bureau of Economic Analysis. Lafayette invested in the network for economic development and to address a significant digital divide. Like other communities, large incumbent providers deemed the area not a priority for fiber investment so the local community acted on its own. "We just wanted something better," says Lafayette City-Parish President Joey Durel.[16] When the animation firm PixelMagic found itself in Lafayette to work on a movie, they decided to permanently locate an office there in large part because of the incredible fiber network.

The recent Government Accountability Office report titled *Telecommunications: Federal Broadband Deployment Programs and Small Business* looks at the effects of stimulus projects on opportunities for small businesses. The report noted that municipal networks built as stimulus projects improved speed and reliability for local small businesses, one of the drivers behind local economic health.[17] Additionally, it noted that they tend to have lower prices for services.

Innovative Approaches

Local governments have often stated that they entered telecommunications as a last resort. Local governments do not build municipal networks when local businesses and residents feel they are being well served by the existing providers – the challenge and responsibility is far too great. However, when municipal networks are built, they often use innovative business models.

The first citywide FTTH networks in the nation were operated by local governments – Kutztown, Pennsylvania; Chelan and Grant Public Utility Districts in Washington state; and Bristol, Virginia. Going back further the first citywide broadband network in the country appears to have been Glasgow, Kentucky, when Vint Cerf (then of MCI) connected an already-existing municipal cable data network to the Internet.

In the LUS Fiber network in Lafayette, everyone on the network has intranet speeds of 100 Mbps. This means that even if you subscribe to the 15 Mbps symmetric standard tier, you will be able to

[13] http://www.muninetworks.org/content/municipal-network-springnet-great-local-businesses
[14] *Minnesota Local Government Advance Super Fast Internet Networks,* http://www.ilsr.org/minnesota-local-governments-advance-super-fast-internet-networks/
[15] http://www.mprnews.org/story/2011/03/24/ground-level-broadband-building-networks

[16] *Broadband at the Speed of Light: How Three Communities Built Next-Generation Networks*, http://www.ilsr.org/broadband-speed-light/
[17] http://www.gao.gov/products/GAO-14-203

connect to your office (also on the LUS Fiber network) at 100 Mbps. Only when you connect to resources off the LUS Fiber network are you limited to the tier to which you subscribe.

Public Schools in Ottawa, Kansas, enjoy the benefit of a "floor" rather than a "ceiling" arrangement for Internet access, thanks to their publicly owned network. In other words, the District contracts for minimum capacity but is allowed to burst to whatever capacity is available at any given time. For example, the School District connects with a minimum 250 Mbps with the ability to burst to 500 Mbps. As a result, online testing is trouble-free.[18]

Community Savings and Benefits

CNS serves Thomasville, Georgia, and surrounding communities. In addition to significant savings by eliminating leased lines, the network generates revenue. The network revenue contributed to the elimination of a local fire tax. In Thomasville, residents enjoy utility rates below the state average.[19]

FiberNet, located in Morristown, Tennessee, estimates the community saves approximately $3.4 million each year in lower local prices for video, phone, and Internet.[20] Like many municipal utilities, it contributes significantly to local government revenues via a mechanism called Payments in Lieu of Taxes - PiLOT.

When a local community invests in fiber infrastructure, it also lays the foundation for expanded free Wi-Fi. In Santa Monica, the municipal network provides backhaul to offer the free service all over the city to businesses and residents.[21] In Ponca City, Oklahoma, the community's publicly owned fiber network provides wired connectivity for local businesses. The revenue generated from the fiber customers facilities a free Wi-Fi network for the entire community. The fiber network also provides backhaul for the mesh Wi-Fi network.[22]

Local Networks Are Accountable to the Community

Local networks are democratically accountable to the community. Many local businesses find it easier to call the mayor than to get a mid-level manager of the cable company on the phone. Quality customer service is a factor held dear by those who choose municipal networks. Often operated by municipal electric utilities, customers feel security based on past positive experiences. Problems are corrected in a timely manner, real people answer the phone, and technicians have relationships with the customers they serve.

Cedar Falls Utilities in Iowa has long had overwhelming market share – people and businesses greatly valued the cable network. And when it came time to upgrade, they recognized that while DOCSIS 3 would be cheaper, the growth in demand for Internet access would force another upgrade not long after making that investment. So they opted to jump into FTTH and became the first gigabit

[18] http://www.muninetworks.org/content/kansas-ottawa-launches-own-fiber-optic-network
[19] http://www.muninetworks.org/content/thomasville-removes-local-tax-citing-strong-broadband-revenues
[20] Morristown Expains Why it Built a Fiber Network for Itself, Community Broadband Bits Podcast Episode 35, with Jody Wigington, http://www.muninetworks.org/content/morristown-explains-why-it-built-fiber-network-itself-community-broadband-bits-35
[21] *Santa Monica City Net: An Incremental Approach to Building a Fiber Optic Network*, http://www.ilsr.org/santa-monica-city-net/
[22] http://www.muninetworks.org/content/ponca-city-fiber-serving-businesses-schools-and-offering-free-wi-fi

community in Iowa. Over the years, that network has helped local businesses to thrive in the community rather than having to move to larger metro areas.[23]

Operating as a provider on the UTOPIA network, local ISP Xmission protects customers' data. In 2013, it became known that large corporate providers surrendered data to the NSA as a matter of daily business. Xmission, however, published a transparency report described as "one of the most transparent we've seen" by the Electronic Freedom Foundation.[24] Xmission refused to violate the trust of its customers on numerous occasions and always insisted on the proper warrants.[25]

Municipal Networks Increase Competition and Spur Private Investment

Open access municipal networks have provided the means to increase competition. When multiple providers compete for business over infrastructure belonging to the public, customer service is better, providers are responsive, and rates are kept in-check.

Mount Vernon, in western Washington, began building its open access network in 1995. The City does not provide lit services and does not compete with private ISPs. As a result, consumers have eight competing providers vying for their business. ISPs pay a percentage of their revenue to the city in exchange for the right to offer services via the infrastructure. City officials choose to manage the infrastructure and leave the retail services to the private sector.[26] This is an approach that has worked well when built in an incremental fashion, often without taking on significant debt. However, the model has failed to meet financial targets in some cases when local governments are required to use the wholesale-only model by state law, as in Washington state public utility districts and in both Provo and UTOPIA communities in Utah.

For several years, FiberNet has driven rates down in Monticello, Minnesota. The FTTH network inspired incumbents TDS and Charter to engage in aggressive pricing. Even though the price war also took a toll on FiberNet, customers in the service area have enjoyed rock-bottom prices, and faster connections than are available in the rest of the state. Prior to the introduction of the municipal network, the two incumbents had refused to upgrade services in the area and prices were comparable to other areas of Minnesota. When the community commenced plans for FiberNet, TDS upgraded its slower DSL system to fiber.[27]

While large corporate providers often claim to the public the industry is competitive, they acknowledge the lack of competitors to investors. In a 2011 interview Chairman and CEO Brian Roberts stated:

> *And so each of the last two years, we have had modest increases in the cost of the broadband service, and yet we've had tremendous sales. We're 33%, 31% penetrated. We hope someday all of America has broadband. So the goal would be 100 or 90*

[23] http://www.muninetworks.org/content/mudd-advertising-and-cedar-falls-utility-talk-gigabit-broadband
[24] http://www.theguardian.com/world/2013/jul/09/xmission-isp-customers-privacy-nsa
[25] http://www.muninetworks.org/content/utahs-xmission-keeps-customer-data-private
[26] http://www.muninetworks.org/content/open-access-network-mount-vernon-washington-created-more-jobs-and-government-savings
[27] http://www.muninetworks.org/content/monticello-fiber-price-war-offers-key-lessons-broadband-competition

[percent take rate]. We have one competitor.[28]

Conclusion

The FCC should use its full capacity to ensure communities have the authority to decide for themselves if a municipal network is appropriate for its situation, and if so, what type of municipal network would be most appropriate.

Respectfully Submitted,

Christopher Mitchell
Director, Telecommunications as Commons Initiative
Institute for Local Self-Reliance

[28] http://files.shareholder.com/downloads/CMCSA/0x0x447538/c20eba7d-049c-4dc7-a5cd-873f880b42bb/Comcast_MS_Transcript_3.3.11.pdf

CITY OF AMMON

BONNEVILLE COUNTY, IDAHO

RESOLUTION NO. 2014-005

A RESOLUTION SUPPORTING ACTION TO EXPAND INTERNET ACCESS THROUGH MUNICIPAL BROADBAND NETWORKS

WHEREAS, the universal availability of affordable high speed Internet access for all citizens has been identified as a national priority; and

WHEREAS, community/municipal broadband networks provide an option for market competition, consumer choice, economic development, and universal, affordable Internet access; and

WHEREAS, historically, local governments have ensured access to essential services by banding together to provide those services that were not offered by the private sector at a reasonable and competitive cost. This involvement has included electrification, water supply, public libraries, and other important services; and

WHEREAS, the City Council of the City of Ammon recognize that their economic health and survival depend on connecting the community, and they understand that it takes both private and public investment to achieve this goal; and

WHEREAS, state constitutions and state statutes exist that may limit or prohibit local government deployment of municipal Internet services, which has the potential of prohibiting or limiting the ability of local government to provide important information and services to their citizens in a timely, efficient, and cost effective manner; and

WHEREAS, local governments, being closest to the people are the most accountable level of government and will be held responsible for any decisions they make; and

WHEREAS, the DC Circuit Court has determined that Section 706 of the Federal Telecommunications Act of 1996 unambiguously grants authority to the Federal Communications Commission (FCC) to remove barriers that deter network infrastructure investment;

NOW, THEREFORE, BE IT RESOLVED that the City of Ammon supports FCC efforts to ensure local governments are able to invest in essential Internet infrastructure, if they so choose, without state---imposed barriers to discourage such an approach.

IN WITNESS WHEREOF, I have hereunto set my hand and to this instrument on this 6th day of March, 2014, at the City of Ammon, Idaho.

Dana Kirkham, Mayor

ATTEST:

Rachael Brown, City Clerk

RESOLUTION NO. 2014-07

Preserving Local Control and Restoring Community Determination for Broadband Deployment

WHEREAS, local governments, being closest to the people are the most accountable level of government and will be held responsible for any decisions they make; and

WHEREAS, community/municipal broadband networks provide opportunities to improve and encourage innovation, education, health care, economic development, and affordable Internet access; and

WHEREAS, historically, the City of Chanute, has ensured access to essential services by providing those services that were not offered by the private sector at a reasonable and competitive cost. Chanute's infrastructure investments have included electricity production and distribution, gas distribution, water treatment and distribution, wastewater collection and treatment, sanitation and landfill, streets, parks, and other vital community services; and

WHEREAS, local government leaders recognize that their economic health and survival depend on connecting their communities, and they understand that it takes both private and public investment to achieve this goal; and

WHEREAS, the universal availability of affordable, high speed internet access for all citizens has been identified as a national priority; and

WHEREAS, attempts have been made at the state level to limit or stop further local government deployment of municipal Internet services through legislation, which has the potential of reducing the ability of local government to provide important services to their citizens in a timely, efficient, and cost effective manner; and

WHEREAS, the DC Circuit Court has determined that Section 706 of the Federal Telecommunications Act of 1996 unambiguously grants authority to the Federal Communications Commission (FCC) to remove barriers that deter network infrastructure investment;

NOW, THEREFORE, BE IT RESOLVED that the City Commission of the City of Chanute, Kansas, supports FCC efforts to ensure local governments are able to invest in essential telecommunications infrastructure, if they so choose, without state-imposed barriers to discourage such an approach.

ADOPTED by the Governing Body on February 24, 2014.

(SEAL)

THE CITY OF CHANUTE KANSAS NEOSHO COUNTY

Attest:

City Clerk

Mayor

R03-2014-02

RESOLUTION OF THE COUNCIL OF THE CITY OF MOULTRIE, GEORGIA

WHEREAS, the universal availability of affordable high speed internet access for all citizens has been identified as a national priority; and

WHEREAS, community/municipal broadband networks provide an option for market competition, consumer choice, economic development, and universal, affordable internet access; and

WHEREAS, historically, local governments have ensured access to essential services by banding together to provide those services that were not offered by the private sector at a reasonable and competitive cost. This involvement has included electrification, public libraries, and other important services; and

WHEREAS, local government leaders recognize that their economic health and survival depend on connecting their communities, and they understand that it takes both private and public investment to achieve this goal; and

WHEREAS, attempts have been made at the state level to limit or stop further local government deployment of municipal internet services through legislation, which has the potential of reducing the ability of local government to provide important information and services to their citizens in a timely, efficient, and cost effective manner; and

WHEREAS, local governments, being closest to the people are the most accountable level of government and will be held responsible for any decisions they make; and

WHEREAS, the DC Circuit Court has determined that Section 706 of the Federal Telecommunications Act of 1996 unambiguously grants authority to the Federal Communications Commission (FCC) to remove barriers that deter network infrastructure investment.

NOW, THEREFORE, BE IT RESOLVED that the City of Moultrie supports FCC efforts to ensure local governments are able to invest in essential Internet infrastructure, if they so choose, without state-imposed barriers to discourage such an approach.

So Done this 4th Day of March, 2014

Della Faust
City Clerk

Mayor

RESOLUTION

WHEREAS, the universal availability of affordable high speed Internet access for all citizens has been identified as a national priority; and

WHEREAS, community/municipal broadband networks provide an option for market competition, consumer choice, economic development, and universal,affordable Internet access; and

WHEREAS, historically, local governments have ensured access to essential services by banding together to provide those services that were not offered by the private sector at a reasonable and competitive cost. This involvement has included electrification, public libraries, and other important services; and

WHEREAS, local government leaders recognize that their economic health and survival depend on connecting their communities, and they understand that it takes both private and public investment to achieve this goal; and

WHEREAS, attempts have been made at the state level to limit or stop further local government deployment of municipal Internet services through legislation, which has the potential of reducing the ability of local government to provide important information and services to their citizens in a timely, efficient, and cost effective manner; and

WHEREAS, local governments, being closest to the people are the most accountable level of government and will be held responsible for any decisions they make; and

WHEREAS, the DC Circuit Court has determined that Section 706 of the Federal Telecommunications Act of 1996 unambiguously grants authority to the Federal Communications Commission (FCC) to remove barriers that deter network infrastructure investment;

NOW, THEREFORE, BE IT RESOLVED that Village of Sebewaing and Sebewaing Light and Water supports FCC efforts to ensure local governments are able to invest in essential Internet infrastructure, if they so choose, without state-imposed barriers to discourage such an approach.

Tami Khoury

President, Village of Sebewaing
Sebewaing, MI

RESOLUTION

A RESOLUTION IN SUPPORT OF FCC EFFORTS TO ENSURE LOCAL GOVERNMENTS ARE ABLE TO INVEST IN ESSENTIAL INTERNET INFRASTRUCTURE, IF THEY SO CHOOSE, WITHOUT STATE-IMPOSED BARRIERS TO DISCOURAGE SUCH AN APPROACH

WHEREAS, the universal availability of affordable high speed Internet access for all citizens has been identified as a national priority; and

WHEREAS, community/municipal broadband networks provide an option for market competition, consumer choice, economic development, and universal, affordable Internet access; and

WHEREAS, historically, local governments have ensured access to essential services by banding together to provide those services that were not offered by the private sector at a reasonable and competitive cost. This involvement has included electrification, public libraries, and other important services; and

WHEREAS, local government leaders recognize that their economic health and survival depend on connecting their communities, and they understand that it takes both private and public investment to achieve this goal; and

WHEREAS, attempts have been made at the state level to limit or stop further local government deployment of municipal Internet services through legislation, which has the potential of reducing the ability of local government to provide important information and services to their citizens in a timely, efficient, and cost effective manner; and

WHEREAS, local governments, being closest to the people are the most accountable level of government and will be held responsible for any decisions they make; and

WHEREAS, the DC Circuit Court has determined that Section 706 of the Federal Telecommunications Act of 1996 unambiguously grants authority to the Federal Communications Commission (FCC) to remove barriers that deter network infrastructure investment;

NOW, THEREFORE, BE IT RESOLVED that the Town of Vidalia, State of Louisiana, supports FCC efforts to ensure local governments are able to invest in essential Internet infrastructure, if they so choose, without state-imposed barriers to discourage such an approach.

THE ABOVE RESOLUTION WAS ADOPTED AT THE MARCH 11, 2014 MEETING AND THE VOTE WAS RECORDED AS FOLLOWS:

YEAS:	4	(Aldermen Betts, Knapp, McCoy, and Stevens)
NAYS:		
ABSTAINING:		
ABSENT:	1	(Alderwoman Saunders)

Hyram Copeland

HYRAM COPELAND, Mayor,
Vidalia, Louisiana

CERTIFICATE

I, Vicki Byrnes, Town Clerk for the Town of Vidalia, Louisiana, do certify the above Resolution to be a true and exact extract from the minutes of the regular meeting of the Mayor and Board of Aldermen of the Town of Vidalia, Louisiana, held on Tuesday, March 11, 2014.

Vicki Byrnes

VICKI BYRNES, Town Clerk

RESOLUTION NO. 14-01

RESOLUTION of The Mayor and Common Council of Westminster

SUBJECT: STATEMENT IN SUPPORT OF THE FCC RESTORING AND PRESERVING LOCAL AUTHORITY TO BUILD NETWORKS

WHEREAS, the universal availability of affordable high speed Internet access for all citizens has been identified as a national priority; and

WHEREAS, community/municipal broadband networks provide an option for market competition, consumer choice, economic development, and universal, affordable Internet access; and

WHEREAS, historically, local government leaders recognize that their economic health and survival depend on connecting their communities, and they understand that it takes both private and public investment to achieve this goal; and

WHEREAS, attempts have been made at the state level to limit or stop further local government deployment of municipal Internet services through legislation, which has the potential of reducing the availability of local government to provide important information and services to their citizens in a timely, efficient, and cost effective manner; and

WHEREAS, local governments, being closest to the people are the most accountable level of government and will be held responsible for any decisions they make; and

WHEREAS, the DC Circuit Court has determined that Section 706 of the Federal Telecommunications Act of 1996 unambiguously grants authority to the Federal Communications Commission (FCC) to remove barriers that deter network infrastructure investment;

NOW, THEREFORE, BE IT RESOLVED that the City of Westminster supports FCC efforts to ensure local governments are able to invest in essential Internet infrastructure, if they so choose, without state-imposed barriers to discourage such an approach.

BE IT FURTHER RESOLVED that this Resolution shall become effective upon the date of its adoption and approval.

INTRODUCED this _____ day of _____, 2014.

_____
Margaret L. Wolf, City Administrator

ADOPTED this _____ day of _____, 2014.

_____
Margaret L. Wolf, City Administrator

APPROVED this _____ day of _____, 2014.

_____
Kevin R. Utz, Mayor

APPROVED AS TO FORM AND SUFFICIENCY
this _____ day of _____, 2014.

_____
Elissa D. Levan, City Attorney

P (502) 223-2063 **F** (502) 875-9151
110 East Todd Street - Frankfort, KY 40601
www.kymua.org

RESOLUTION

WHEREAS, the universal availability of affordable high speed Internet access for all citizens has been identified as a national priority; and

WHEREAS, community/municipal broadband networks provide an option for market competition, consumer choice, economic development, and universal, affordable Internet access; and

WHEREAS, historically, local governments, have ensured access to essential services by banding together to provide those services that were not offered by the private sector at a reasonable and competitive cost. This involvement has included electrification, public libraries, and other important services; and

WHEREAS, local government leaders recognize that their economic health and survival depend on connecting their communities, and they understand that it takes both private and public investment to achieve this goal; and

WHEREAS, attempts have been made at the state level to limit or stop further local government deployment of municipal Internet services through legislation, which has the potential of reducing the ability of local government to provide important information and services to their citizens in a timely, efficient, and cost effective manner; and

WHEREAS, local governments, being closest to the people are the most accountable level of government and will he held responsible for any decisions they make; and

---

WHEREAS, the DC Circuit Court has determined that Section 703 of the Federal Telecommunications Act of 1996 unambiguously grants authority to the Federal Communications Commission (FCC) to remove barriers that deter network infrastructure investment.

NOW, THEREFORE, BE IT RESOLVED that the Kentucky Municipal Utilities Association (KMUA) supports FCC efforts to ensure local governments are able to invest in essential Internet infrastructure, if they so choose, without state-imposed barriers to discourage such an approach.

Ronald W. Herd, President

Kentucky Municipal Utilities Association

Annette DuPont-Ewing, Executive Director

Kentucky Municipal Utilities Association